

## EXTENSIONS OF REMARKS

## DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 24, 2008*

Mr. UDALL of Colorado. Mr. Speaker, as a Member of the House Armed Services Committee, I rise in support of this important legislation.

I applaud Chairman SKELTON for his leadership in guiding this bill to the floor today. He and Ranking Member HUNTER have done a tremendous job, and they have been ably supported by the expert staff of our committee. We passed the Defense Authorization bill in the House over four months ago—but there was concern that the Senate wouldn't pass its bill before Congress adjourned for the year.

Fortunately, the Senate acted last week, and we're able to move ahead today to complete this important annual task. Chairman SKELTON and Ranking Member HUNTER and their staff were not about to let this be the first Defense Authorization bill in 42 years not to become law. They worked very hard to reconcile the House and Senate legislation, and I commend them for the outcome. I expect the Senate to follow our lead and send this bill to the President for his signature.

This bill rightly focuses on our military's readiness needs. After more than five years at war, both the active duty and reserve forces are stretched to their limits. The bill will provide what's needed to respond, including funds to address equipment shortages for the active duty and reserve forces, improve the quality of our military barracks, maintain ammunition, and expand training opportunities, among other important readiness needs. The bill also improves the quality of life for our forces and their families by including a 3.9 percent pay raise for all service members, preserving important health benefits by prohibiting fee increases in TRICARE and the TRICARE pharmacy program, and including new preventive health care initiatives.

With regard to Colorado provisions, I am pleased that the bill includes language requiring the Secretary of Defense to maintain redundant facilities and equipment—along with the staff necessary to ensure continuity of operations—at Cheyenne Mountain Air Force Station until the Secretary can certify that security measures have been instituted to bring the consolidated command center for NORTHCOM/NORAD at Peterson AFB into full compliance with Protection Level One requirements. Currently, the Secretary has waived compliance to allow Peterson to meet these requirements—defined as resulting in “the greatest possible deterrence against hostile acts” and providing “the maximum means to achieve detection, interception and defeat of a hostile force before it is able to seize, damage or destroy resources”—though Peter-

son AFB does not yet meet this level of protection. Such a waiver would not be permitted to meet the requirement under this legislation.

It is important that the House and the Senate have recognized that Northern Command's decision to relocate the nation's air and space defense command from Cheyenne Mountain to the new NORTHCOM/NORAD command center at Peterson AFB was flawed, particularly without fully analyzing the full range of threats. The Government Accountability Office in its recent report highlighted the lack of a comprehensive threat analysis, and the Department of Defense (DOD) finally concurred that a thorough analysis still needs to be completed. While that study is ongoing—and certainly while Peterson AFB cannot yet comply with protection level requirements for the highest level of threats—redundant operations should be maintained at Cheyenne Mountain.

I'm also pleased that the bill increases overall military construction project authorization at the Pueblo Chemical Depot by \$223 million, raising the five-year-old authorization cap that had forced the Assembled Chemical Weapons Alternative (ACWA) program and its main contractor Bechtel to cancel some work earlier this year and would have resulted in layoffs if it had not been increased. Although Congress appropriated sufficient funds last year, ACWA did not have Congressional permission to spend the funds until this cap was raised.

Finally, the bill includes language that prohibits DOD from transporting away from the Pueblo Chemical Depot in the next six months the hazardous wastes left after chemical treatment of mustard agent. This is based on legislation I introduced with Rep. JOHN SALAZAR earlier this year, and sends an important message to the Department of Defense.

There is no question that the ACWA program has been poorly managed for years. But I believe the people of Pueblo shouldn't have to pay for DOD's mistakes. Pueblo needs the jobs that the biotreatment process will provide, and the community deserves the certainty that clean-up will be completed in a timely fashion. I am disappointed that the final language is not as strong as the language I helped pass in the House, but it is still an important step forward. I will continue to work to ensure the secondary wastes are not transported off-site.

The Pueblo Chemical Depot holds 2,611 tons of liquid mustard agent and is part of the DOD's ACWA program, which is responsible for destroying the chemical weapons stored at Pueblo and at the Blue Grass Army Depot in Kentucky. The Chemical Weapons Convention, ratified by Congress in 1997, requires these munitions to be destroyed by 2012. Because of schedule delays, management problems, and funding shortfalls for the ACWA program, the DOD has said that the U.S. will not meet the Chemical Weapons Convention treaty deadline.

Last year, Congress mandated that DOD complete all chemical weapons destruction activities by 2017. The DOD has suggested that a 2017 deadline at Pueblo cannot be reached if wastes are treated on-site. DOD is again

studying whether to transport these wastes for treatment off-site, despite approved plans to treat the wastes at the Pueblo Chemical Depot, and despite the fact that construction of an on-site biotreatment facility has already begun. In addition, studies have shown that shipping these wastes would not yield benefits. The community of Pueblo and the Colorado Citizens' Advisory Commission, established by law to represent community interests, have repeatedly expressed their preference for treating the wastes on-site.

The bill also authorizes \$474 million for military construction projects at Fort Carson, as well as \$65 million for construction at the Pueblo Chemical Depot, \$4.9 million for land acquisition at Peterson AFB, \$18 million for Colorado National Guard readiness centers in Denver and Grand Junction, \$3 million for a satellite pharmacy and \$4.2 million for Alert Crew Headquarters at Buckley Air Force Base, and \$18 million to upgrade academic facilities at the U.S. Air Force Academy.

Mr. Speaker, the bill we are considering today does an excellent job of balancing the need to sustain our current warfighting abilities with the need to prepare for the next threat to our national security. It is critical that we are able to meet the operational demands of today even as we continue to prepare our men and women in uniform to be the best trained and equipped force in the world.

This is a good bill, a carefully drafted and bipartisan bill, and I urge its passage.

## PROVIDING FOR AGREEMENT BY HOUSE WITH AMENDMENT TO SENATE AMENDMENT TO H.R. 2095, RAIL SAFETY IMPROVEMENT ACT OF 2008

SPEECH OF

**HON. GRACE F. NAPOLITANO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 24, 2008*

Mrs. NAPOLITANO. Madam Speaker, I rise in strong support of H.R. 2095, the Federal Railroad Safety Improvement Act and Amtrak Reauthorization bill. I congratulate Chairman OBERSTAR, Chairwoman BROWN, Ranking Member MICA, and Ranking Member SHUSTER for their bipartisan work on this bill.

H.R. 2095 is vital legislation for my district which has 160 trains traveling through it every day, 90 on the Union Pacific line and 70 on the Burlington Northern Santa Fe line. These trains carry approximately 14,000 containers every day, with many of them holding hazardous materials. This train traffic is expected to triple by 2020, which will mean a train every 10 minutes.

From October 2004 to May 2005, five derailments occurred in or near my district. These derailments damaged homes and businesses, threatened public safety and caused anxiety for those who lived and worked along the railroad.

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

H.R. 2095 will take major steps to prevent derailments by improving track safety and grade crossing safety, increasing whistle-blower protections, setting hours of service requirements, and strongly enforcing rail safety violations.

The rail safety section of the bill includes 3 provisions that I offered through amendments in Committee and on the House floor.

The first provision would create strict training standards for all railroad employee inspectors. Railroad inspectors have expressed frustration over their lack of training curriculum. They claim that most training is on the job and from coworkers. This provision creates strong training, testing, and skills evaluation measures to ensure that inspectors are able to address critical safety defects that contribute to derailments and accidents.

The second provision would fund Operation Lifesaver for \$7 million over the next 4 years. Operation Lifesaver is a rail safety awareness program that provides public service announcements, school presentations, brochures and materials, and support for public awareness campaigns. The goal of this public education program is to end collisions, deaths, and injuries at highway-rail grade crossings and on railroad rights-of-way. The program is supported by a wide range of partners including Federal, State and local government agencies, highway safety organizations, law enforcement, and the Nation's railroads. The provision will also create a pilot program for sustained outreach in high risk areas, as defined by number of accidents and population density near the tracks.

The third provision would prohibit the Federal Government from allowing train safety inspections in Mexico from satisfying U.S. safety requirements. Railroad companies have tried multiple times to receive waivers from the Federal Government from having to perform safety inspections of trains that cross the border. Safety inspections in Mexico are much different than those performed on our side of the border and we must make sure U.S. rail safety laws are being followed.

H.R. 2095 also includes a major provision regarding the implementation of Positive Train Control (PTC) systems that is vital to ensuring that accidents such as the recent Metrolink tragedy never happen again. The bill requires all major railroads and passenger railroads to implement PTC by December 31, 2015. PTC systems have the ability to stop trains automatically before accidents occur by using switch position indicators, track integrity technology, GPS systems, and other technology. The bill also includes a grant program to assist the railroads in deploying PTC systems.

I am concerned that an important provision regarding State regulation was not included in this final bill. The State regulation provision would have ensured the original intent of Congress to give States regulatory authority to address local safety hazards.

The provision is necessary because Federal Appellate Courts have preempted every attempt by the States to implement rail safety provisions where the FRA has not acted. This was not the original intent of Congress. The Federal Railroad Safety Act as passed in 1970 says, "The States will retain the authority to regulate individual local problems where necessary to eliminate or reduce essentially local railroad safety hazards."

States and local communities cannot rely on the limited FRA resources to address their

safety concerns. States must be allowed to regulate the railroad in order to protect their property and their citizens. I hope this important safety issue will be addressed in the next Congress.

I also support the Amtrak and passenger rail section of H.R. 2095 which makes a dramatic investment in our passenger rail system that will provide jobs, strengthen the economy, and improve the environment.

The bill creates a new State Grant Program that provides \$380 million per year for intercity passenger rail. This is desperately needed in California as it has 3 of the top 5 busiest rail corridors in the U.S. These corridors include Pacific Surfliner from San Diego through Los Angeles to San Luis Obispo, the Capitol Corridor from San Francisco through Sacramento to Auburn, and the San Joaquin Corridors from Bakersfield to Oakland and Sacramento.

The bill will greatly assist the Sunset Limited, which travels through my district, by alleviating "choke points" with congestion grants and a new process for mediating disputes with freight railroads at the Surface Transportation Board (STB). It also provides funding for a High Speed Rail System which California has been working on.

The passenger rail section includes a provision I authored regarding compliance with the Americans with Disabilities Act (ADA) and the raising of station platforms. L.A. Metrolink and many other commuter railroads have fully complied with ADA rules by putting ramps and lifts in all of their stations so the disabled community can safely and easily board the trains. DOT has proposed making a rule that would require all railroad stations to fully raise their platforms to the floor level of the trains entering the station. The problem is that most passenger rail stations are serviced by multiple railroad companies with different train sets. Raising the platform could create major vertical and horizontal gaps between the trains and the platform. This would make it harder for the disabled community to safely and efficiently enter and exit trains. The provision I authored requires Amtrak to study how raising station platforms will affect the safe and efficient boarding of trains for all passengers.

Madam Speaker, I strongly support passage of H.R. 2095, this very important railroad safety and passenger rail bill. I thank the Chairman for shepherding this bill through the legislative process.

#### ELDER ABUSE VICTIMS ACT OF 2008

SPEECH OF

**HON. RAHM EMANUEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 22, 2008*

Mr. EMANUEL. Mr. Speaker, I rise today in strong support of H.R. 5352, the Elder Abuse Victims Act of 2008.

This bipartisan legislation increases prosecutions by providing technical, investigative, coordination, and victim assistance resources to law enforcement to support elder justice cases. Additionally, it also provides grants for training, technical assistance, policy development, multidisciplinary coordination and other types of support to local prosecutors handling elder justice—related cases.

Elder abuse is a silent but widespread problem: reports reveal that 500,000 to 5 million senior Americans will be victims of some form of abuse every year, causing illness, suffering, and premature death. In my home state of Illinois, reports to the Illinois Elder Abuse and Neglect Program increased by 48% between 1997 and 2005.

Few pressing social issues have been as systematically ignored as elder abuse. Over the past 25 years, Congress passed comprehensive bills to address child abuse and crimes against women, yet there is not one full-time Federal employee working on elder abuse in the entire Federal Government.

A comparison of federal money spent to fight abuse and neglect shows that less than 2 percent of federal dollars spent on abuse and neglect goes toward elder abuse. In addition, no federal law has yet been enacted that adequately and comprehensively addresses the issues of elder abuse, neglect, and exploitation.

Since my election to Congress, I have been working with my colleagues Rep. PETER KING and Senators JOHN BREAUX, ORRIN HATCH and BLANCHE LINCOLN to pass the Elder Justice Act to protect vulnerable seniors. I am glad the bill before us, the Elder Abuse Victims Act includes many of the crucial law enforcement provisions of the Elder Justice Act. This bill is the first step to understanding—and therefore eradicating—elder abuse.

Mr. Speaker, I thank my colleague from Pennsylvania for including these crucial provisions in his legislation and I urge my colleagues to join me in voting for H.R. 5352, the Elder Abuse Victims Act.

PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008

SPEECH OF

**HON. BETTY MCCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 23, 2008*

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today in strong support of H.R. 6983, the Paul Wellstone Mental Health and Addiction Equity Act. It is long past time that the 54 million Americans suffering from mental illness have access to the care they need, and we cannot afford another day to go by.

This legislation is named in tribute to the late Minnesota Senator Paul Wellstone whose work on this issue was groundbreaking. I also rise to thank my colleague from Minnesota, Congressman JIM RAMSTAD, for his courage in sharing his experience with substance abuse and his hard work on this legislation. Without his dedication and perseverance, we would not be at this critical moment.

We have all been affected in some way—ourselves, a family member, a friend, or colleague—by mental health or substance abuse. This is an issue I hear about in my district a lot and I thank my constituents who have been willing to share their stories to make change.

The current system is unfair and inadequate. People should not have to forego essential treatment because of cost when care could mean improvements to their quality of life and productivity. Parents should not end